## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

TAMI BERNHEISEL :

Plaintiff.

v. : 3:13-CV-01496

(JUDGE MARIANI)

MARTIN MIKAYA, M.D., et al.

Defendants.

## **ORDER**

AND NOW, THIS DAY OF JANUARY, 2016, upon consideration of Defendants Martin Mikaya, M.D., Memorial Hospital, Inc. t/a Memorial Hospital and Team Care P.C.'s Motion for Partial Summary Judgment (Doc. 105), IT IS HEREBY ORDERED THAT:

- Defendants' Motion for Partial Summary Judgment (Doc. 105) is GRANTED IN PART AND DENIED IN PART, to wit:
  - a. The motion is GRANTED with respect to Plaintiff's claims of Corporate Negligence against Defendants Memorial Hospital, Inc. t/a Memorial Hospital and Team Care P.C. Judgment is hereby entered IN FAVOR OF these Defendants and AGAINST Plaintiff on these claims.
  - b. The motion is **DENIED** with respect to Plaintiff's claim for future economic damages against all Defendants.

- A telephone scheduling conference will be held on Thursday, January 21, 2016, at 11:15 a.m. Counsel for Plaintiff is responsible for arranging the call to (570) 207-5750, and all parties should be ready to proceed before the undersigned is contacted.
- 3. Pursuant to the Court's Order of March 16, 2015 (Doc. 87) noting that this case had been selected for mandatory mediation in 2013 and directing the parties to engage in the required mediation, as modified by the Court's March 19, 2015 Order (Doc. 92) permitting the parties to defer mediation until after the submission of expert reports and the filing of dispositive motions, the parties are now directed to engage in mediation with Timothy Foley, Esq. consistent with the terms of the Court's March 16, 2015 Order, within 60 days of the date of this Order.
- 4. The Clerk of Court is directed to cause a copy of this Order to be served on Timothy Foley and to make the file in this case available to him at his convenience.

Robert D. Mariani

**United States District Judge**